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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/518,289

12/17/2004

Sebastien Guionnet

4590-363

6662

33308 7590 09/19/2008
LOWE HAUPTMAN & BERNER, LLP
1700 DIAGONAL ROAD, SUITE 300
ALEXANDRIA, VA 22314

EXAMINER

KOCH, GEORGE R

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

09/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10518289	12/17/04	GUIONNET ET AL.	4590-363

LOWE HAUPTMAN & BERNER, LLP
1700 DIAGONAL ROAD, SUITE 300
ALEXANDRIA, VA 22314

EXAMINER

George R.. Koch III

ART UNIT	PAPER
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1791	20080914
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Commissioner for Patents

This is in response to the letter filed June 3rd, 2008. That letter requested acknowledgement of the claim of priority under 35 USC 119(a)-(d) or (f).

However, those sections only apply to foreign priority. Therefore, the boxes on the notice of allowance only correspond to foreign priority rights.

A review of the application indicates that applicant did not make a claim of foreign priority on either December 17, 2004, or March 21, 2006. In the declarations filed on those days, applicant checked off the "NO" box for claiming foreign priority to the French prior foreign application.

It appears applicant is referring to the PCT/FR02/02368 application; however, this is not a foreign priority issue. Applicant's priority rights for that application is not governed by 35 USC 119(a)-(d) or (f).

Since this application, i.e. 10/518,289, is the national stage of PCT/FR02/02368, applicant gets the benefit of the filing date of the international application. The national stage is just a continuation of the prosecution than began as the international application, and is not a claim of priority under either 119 or 120.

/George R. Koch III/
Primary Examiner, Art Unit 1791